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REMARKS

The final Office Action dated December 28, 2004, has been carefully reviewed. Claims 1, 2, 5-7 and 9-19 remain in the applications. Claims 1, 2, 5, and 9-19 are allowed. The Examiner has finally rejected Claims 6-8. Claim 8 was cancelled in the response filed August 13, 2004.

In the Office Action, the Examiner maintained the rejection of claim 6 under 35 U.S.C. § 102 of claim 7 under 35 U.S.C. § 103 as being unpatentable over the Tuck reference. The Examiner explained that the primary and secondary payloads are being interpreted as the uplink and downlink described in Tuck because the links carry different information and processed information from the platform to the user (downlink) and that the arguments filed 8/13/04 were not persuasive.

It is respectfully requested that the Examiner reconsider the final rejection of claims 6 and 7 in view of the following remarks that will further clarify the differences between claims 6 and 7 of the present invention and the Tuck reference. It is respectfully asserted that the Tuck reference discloses a single payload that is processing uplink signals that are ultimately downlinked and the present invention claims two separate and distinct payloads, a primary payload and a secondary payload, neither of which is limited to uplink and/or downlink applications.

It appears that the Examiner is attempting to replace the term "uplink" with "primary payload" and the term "downlink" with "secondary payload". However, it is respectfully asserted that the terms are not interchangeable in the present invention. A payload for a communications satellite receives signals from an uplink and those signals

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are ultimately transmitted to a downlink. In the present invention the primary and secondary payloads of the present invention are separate and distinct payloads. Furthermore, the payloads are not limited to uplink for the primary payload and downlink for the secondary payload as suggested by the Examiner.

The uplink (68) and downlink (26) described in the Tuck reference are part of a single payload, see Figure 10B. The Tuck reference shows only one payload that receives uplink signals that are ultimately downlinked. The Tuck reference does not teach or disclose primary and secondary payloads. Furthermore, if the uplink in the Tuck reference were to be considered a "primary payload" and the downlink were to be considered a "secondary payload", the substitution would still not result in the present invention because the primary and secondary payloads of the present invention are not limited to uplink and downlink respectively.

In the present invention, claims 6 and 7 require a first stratospheric platform having primary and secondary payloads. The secondary payload of the present invention is a payload *in addition to* the primary payload, see page 7, lines 6-10. The primary and secondary payloads are not limited to uplink and downlink signals. For example, if the primary payload of the present invention were to be used in a communications setting, it would be capable of receiving uplink signals and transmitting downlink signals.

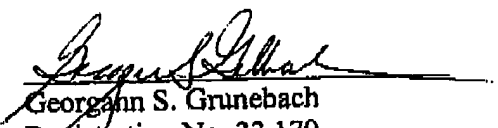
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CONCLUSION

It is respectfully asserted that all of the claims in the application are in condition for allowance. Accordingly, allowance of the claims, namely claims 1, 2, 5-7 and 9-19, and passage of the application to issuance are respectfully solicited. It is respectfully requested that, should the Examiner remain unconvinced by the clarifications herein, the Examiner initiate a call the undersigned attorney to discuss possible changes to the claims that would be sufficient to bring the claims into condition for allowance.

Respectfully submitted,


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